
By: **Delegates Benson and Hubbard**
Introduced and read first time: February 7, 2003
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Pesticide Applicator's Law - Required Disclosure of Financing**
3 **Arrangements**

4 FOR the purpose of requiring certain pest control licensees to disclose certain
5 information to the customer if the contract for pest control services is to be
6 financed; and generally relating to disclosure of financing arrangements of a
7 contract for pest control licensee's services.

8 BY repealing and reenacting, with amendments,
9 Article - Agriculture
10 Section 5-208
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2002 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Agriculture**

16 5-208.

17 (a) When a pesticide is applied, or at the time a customer enters into a
18 contract with a licensee for pest control, a licensee shall provide a customer with the
19 following written information:

- 20 (1) Name of licensee;
- 21 (2) Maryland pesticide business license number;
- 22 (3) Telephone number of licensee;
- 23 (4) Common name of pesticide or active ingredient applied;
- 24 (5) Pertinent safety information, as determined by the Department,
25 including health risks for humans and animals, about pesticide in the end-use
26 dilution applied;

1 (6) Maryland Poison Center telephone number; [and]

2 (7) IF PAYMENT OF THE PEST CONTROL CONTRACT WILL BE FINANCED
3 THROUGH AN INSTALLMENT SALES AGREEMENT:

4 (I) THE DISCLOSURE REQUIRED IN INSTALLMENT SALES
5 AGREEMENTS UNDER § 12-606 OF THE COMMERCIAL LAW ARTICLE; AND

6 (II) THE NAME OF THE SALES FINANCE COMPANY, IF ANY,
7 EXTENDING CREDIT TO THE CUSTOMER; AND

8 [(7)] (8) Any other information required by the Department.

9 (b) Upon the customer's request, the licensee shall provide the customer with
10 advance notice of a pesticide application.

11 (c) (1) A licensee or public agency permittee applying a pesticide to a lawn
12 or to exterior landscape plants shall post at the time of application a sign.

13 (2) The sign shall remain 48 hours following the pesticide application,
14 after which time the customer is responsible for the removal of the sign.

15 (3) (i) A person may not remove, alter, or deface the sign or agree or
16 conspire with another to remove, alter, or deface the sign within 48 hours of its
17 posting.

18 (ii) The customer or licensee may not be held liable for any penalty
19 for sign removal under this subtitle if the sign is removed by another person or cause
20 over which the customer or licensee has no control.

21 (4) The sign shall:

22 (i) Be clearly visible either from the principal place of access to the
23 property; or

24 (ii) Be clearly visible on the portion of the property where the
25 pesticide is applied.

26 (5) The sign shall contain a uniform statement approved by the
27 Department.

28 (d) Before applying an experimental use pesticide, the holder of the required
29 experimental use permit from the U.S. Environmental Protection Agency shall
30 provide the Department with the following information:

31 (1) Name of cooperator;

32 (2) Location of planned application or treatment;

33 (3) Name of active ingredient of pesticide;

- 1 (4) Purpose of application or use;
- 2 (5) Total acreage being affected by application;
- 3 (6) Toxicological profile of pesticide; and
- 4 (7) Any other information required by the Department.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2003.